



STATE OF WASHINGTON
PUBLIC DISCLOSURE COMMISSION

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July 20, 2006

The Honorable Rob McKenna
Attorney General of the State of Washington
PO Box 40100
Olympia, WA 98504-0100

Re: *Alfred J. Kiefer, Jr.*, PDC Case No. 06-472 –
Referral to Washington State Attorney General's Office

Dear General McKenna:

At its meeting on June 29, 2006, the Washington State Public Disclosure Commission considered a PDC staff recommendation that the above-captioned enforcement case be referred to your office for further action and legal proceedings. Present for the Commission were: Chair Earl Tilley, Vice Chair Jane Noland, and members Bill Brumsickle, Ken Schellberg and Michael Connelly. Doug Ellis was present for PDC staff. The Respondent in this case is Alfred J. Kiefer, Jr.

Mr. Kiefer is a fire commissioner for the Whatcom County Fire Protection District No. 10. His term of office ends in 2009. Mr. Kiefer held office during 2005 and was required to file a Statement of Financial Affairs (PDC Form F-1) by April 17, 2006. Despite reminders, Mr. Kiefer did not file the form and has not filed the form. The history of Mr. Kiefer's filings of F-1 forms is that with one exception in 2005 following the entry of a court judgment after a referral to your office, Mr. Kiefer has neither filed the forms in past years, nor paid penalties imposed by the Commission for his failure to file the forms. The Commission has previously referred his past failure to pay penalties and failure to file the forms to your office, for enforcement (in 2003 and 2004). At its June meeting, the Commission considered the June 20, 2006 Memorandum to Commissioners from Phil Stutzman, PDC Director of Compliance (Report to Commission) with exhibits, detailing the history of the present case, and past compliance. Copy enclosed.

After reviewing the June 20, 2006 memorandum and the presentation of Mr. Ellis, the Commission by a 5-0 vote found an apparent violation by Mr. Kiefer of RCW 42.17.240, the law requiring him to file the PDC F-1 form. Given the history of this case, considering that this was Mr. Kiefer's fifth occasion of not timely filing his F-1 form, and considering Respondent's past failures to pay civil penalties imposed by the Commission, the Commission accepted the PDC staff recommendation to refer the matter to your office for further action pursuant to



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RCW 42.17.360 and RCW 42.17.395, in lieu of conducting a hearing. The Commission also accepted the PDC staff recommendation to request your office seek a court order compelling Mr. Kiefer to file the disclosure reports required by RCW 42.17.240.

The Commission has authorized me to sign this referral on its behalf. Thank you for your attention to this matter. I can be reached at 586-4838 if you have any questions.

Sincerely,


Vicki Rippie
Executive Director

Enclosure

c: Linda A. Dalton, Sr. Assistant Attorney General
Nancy Krier, Sr. Assistant Attorney General
Alfred J. Kiefer, Jr.